

15 AUG 1978

MEMORANDUM FOR: Chief, Plans and Programs Staff, OL

FROM: [REDACTED]

Chief, Supply Division, OL

SUBJECT: Review of the Draft Title IV S 2525

1. We have again reviewed the subject draft and are pleased to note that some of our concerns reflected in previous reviews have been taken into consideration in the rewrite.

2. A recent briefing by a member of OGC concerning the provision of EO 12036 indicates that if legislation does not preclude a certain action, we cannot assume, therefore, that the action is permissible. OGC would still have to concur in ~~area~~ areas of uncertainty. With this in mind, we make the following observations of the latest draft:

a. Section 14(f)(2)/422(c) - Under the provisions of [REDACTED] and the memorandum dated 7 September 1976 with attachments, approved by the Deputy Director for Administration (copy attached), the OL is authorized to provide assistance to other Government agencies; not just members of the Intelligence Community. There are no provisions for this support in the proposed draft.

b. Section 421(a)(8) - As previously commented on, we feel this Title should spell out our authority to maintain and store materiel including ordnance items.

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c. Section 422(a) - We assume that the Agency's authority to - - - dispose of such property - - - "now permits the transfer of subject property to foreign governments. The subject is a key issue and should be specifically and clearly addressed.

d. Section 422(b) - We believe that the waivers permitted the Director should, under this section, also

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apply to the provisions of the Federal Property Management Regulations (FPMR's) when such waivers are necessary to the successful performance of any function of the Agency or to protect the security of activities of the Agency. If not provided for in the legislation, it will be necessary to request exemptions from GSA in each and every case.



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